

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

THE UNIVERSITY OF THE ARTS, *et al.*,¹

Debtors.

Chapter 7

Case No. 24-12140 (BLS)

(Jointly Administered)

**NOTICE OF *AMENDED*² AGENDA OF MATTERS SCHEDULED FOR
HEARING ON FEBRUARY 26, 2025, AT 10:00 A.M. (EASTERN TIME)**

THIS PROCEEDING WILL BE CONDUCTED IN-PERSON AND *VIA ZOOM*. ALL COUNSEL AND WITNESSES ARE EXPECTED TO ATTEND UNLESS PERMITTED TO APPEAR REMOTELY *VIA ZOOM*. PLEASE REFER TO JUDGE SHANNON'S CHAMBERS PROCEDURES AND THE COURT'S WEBSITE ([HTTP://WWW.DEB.USCOURTS.GOV/ECOURT-APPEARANCES](http://www.deb.uscourts.gov/ecourt-appearances)) FOR INFORMATION ON WHO MAY PARTICIPATE REMOTELY, THE METHOD OF ALLOWED PARTICIPATION (VIDEO OR AUDIO), JUDGE SHANNON'S EXPECTATIONS OF REMOTE PARTICIPANTS, AND THE ADVANCE REGISTRATION REQUIREMENTS. REGISTRATION IS REQUIRED BY 4:00 P.M. (EASTERN TIME) THE BUSINESS DAY BEFORE THE HEARING UNLESS OTHERWISE NOTICED USING THE ECOURT APPEARANCES TOOL AVAILABLE ON THE COURT'S WEBSITE.

I. MATTER(S) FILED UNDER CERTIFICATION:

1. Certification of Counsel Regarding Stalking Horse Notice and Approval of Certain Stalking Horse Protections for Lantern Theater Co., filed on January 14, 2025 [[Docket No. 163](#)].

Objection Deadline: None.

Responses Received: None.

Related Pleadings: None.

¹ The debtors in these cases, along with the last four digits of the federal tax identification number for each of the debtors, where applicable are: The University of the Arts (9911); and U of Arts Finance, LLC (9911).

² Amended items will appear in **bold**.

Status: A proposed order has been filed under certification of counsel. Therefore, no hearing is necessary unless requested by the Court.

2. Motion of Chapter 7 Trustee for Entry of Order (I) Authorizing and Approving the Sale of Certain Real Property and Related Assets Located at 1224-1234 Spruce Street, Philadelphia PA (Spruce Hall) Free and Clear of All Liens, Claims Encumbrances and Other Interests, (II) Authorizing the Assumption and Assignment of the Assumed Lease, and (III) Granting Other Related Relief, filed on January 27, 2025 [[Docket No. 187](#)].

Objection Deadline: February 14, 2025, at 12:00 p.m. (Eastern Time).

Responses Received:

- i. Informal comments from Buyer to proposed Sale Order.

Related Pleadings:

- A. Notice of Stalking Horse Agreement and Proposed Break-Up Fee Protections (“Stalking Horse Notice”), filed on January 27, 2025 [[Docket No. 188](#)].
- B. Certificate of Service, filed on January 29, 2025 [[Docket No. 192](#)].
- C. Declaration of Alfred T. Giuliano, Chapter 7 Trustee, in Support of Sale of Real Property and Related Assets Located at 1224-1234 Spruce Street, Philadelphia PA (Spruce Hall), filed on February 20, 2025 [[Docket No. 236](#)].
- D. Certification of Counsel Regarding Motion of Chapter 7 Trustee for Entry of Order (I) Authorizing and Approving the Sale of Certain Real Property and Related Assets Located at 1224-1234 Spruce Street, Philadelphia PA (Spruce Hall) Free and Clear of All Liens, Claims Encumbrances and Other Interests, (II) Authorizing the Assumption and Assignment of the Assumed Lease, and (III) Granting Other Related Relief, filed on February 20, 2025 [[Docket No. 238](#)].
- E. **Order (I) Authorizing and Approving the Sale of Certain Real Property and Related Assets Located at 1224-1234 Spruce Street, Philadelphia PA (Spruce Hall) Free and Clear of All Liens, Claims Encumbrances and Other Interests, (II) Authorizing the Assumption and Assignment of the Assumed Lease, and (III) Granting Other Related Relief, entered on February 24, 2025 [[Docket No. 243](#)].**

Status: The order has been entered. No hearing is necessary.

3. Motion of Chapter 7 Trustee for Entry of Order (I) Authorizing and Approving the Sale of Certain Real Property and Related Assets Located at 329-335 S. Broad Street, Philadelphia PA (Anderson Hall) Free and Clear of All Liens, Claims Encumbrances and Other Interests, and (II) Granting Other Related Relief, filed on February 4, 2025 [[Docket No. 211](#)].

Objection Deadline: February 18, 2025, at 12:00 p.m. (Eastern Time).

Responses Received: None.

Related Pleadings:

- A. Notice of Stalking Horse Agreement and Proposed Break-Up Fee Protections (“Stalking Horse Notice”), filed on February 4, 2025 [[Docket No. 212](#)].
- B. Certificate of Service, filed on February 6, 2025 [[Docket No. 223](#)].
- C. Declaration of Alfred T. Giuliano, Chapter 7 Trustee, in Support of Sale of Real Property and Related Assets Located at 329-335 S. Broad Street, Philadelphia PA (Anderson Hall), filed on February 20, 2025 [[Docket No. 237](#)].
- D. Certificate of No Objection Regarding Motion of Chapter 7 Trustee for Entry of Order (I) Authorizing and Approving the Sale of Certain Real Property and Related Assets Located at 329-335 S. Broad Street, Philadelphia PA (Anderson Hall) Free and Clear of All Liens, Claims Encumbrances and Other Interests, and (II) Granting Other Related Relief, filed on February 20, 2025 [[Docket No. 239](#)].
- E. **Order (I) Authorizing and Approving the Sale of Certain Real Property and Related Assets Located at 329-335 S. Broad Street, Philadelphia PA (Anderson Hall) Free and Clear of All Liens, Claims Encumbrances and Other Interests, and (II) Granting Other Related Relief, entered on February 24, 2025 [[Docket No. 244](#)].**

Status: The order has been entered. No hearing is necessary.

II. MATTER(S) GOING FORWARD:

4. Motion of Chapter 7 Trustee for Entry of Order (I) Authorizing and Approving the Sale of Certain Real Property and Related Assets Located at 320 and 320R S. Broad Street, Philadelphia PA (Hamilton & Furness Halls) Free and Clear of All Liens, Claims Encumbrances and Other Interests, and (II) Granting Other Related Relief, filed on February 4, 2025 [[Docket No. 209](#)].

Objection Deadline: **February 18, 2025**, at 12:00 p.m. (Eastern Time).

Responses Received: None. Trustee did receive an overbid for the Property **and an auction was held.**

Related Pleadings:

- A. Notice of Stalking Horse Agreement and Proposed Break-Up Fee Protections (“Stalking Horse Notice”), filed on February 4, 2025 [[Docket No. 210](#)].
- B. Certificate of Service, filed on February 6, 2025 [[Docket No. 223](#)].
- C. **Notice of (I) Successful Bid and Bidder for Certain Real Property and Related Assets Located at 320 and 320R S. Broad Street, Philadelphia, PA (Hamilton & Furness Halls) and (II) Filing of Asset Purchase Agreement and Sale Order**, filed on February 25, 2025 [[Docket No. 249](#)].
- D. **Declaration of Alfred T. Giuliano, Chapter 7 Trustee, in Support of Sale of Real Property and Related Assets Located at 320 and 320R S. Broad Street, Philadelphia, PA (Hamilton & Furness Halls)**, filed on February 25, 2025 [[Docket No. 250](#)].
- E. **Certification of Counsel Regarding Motion of Chapter 7 Trustee for Entry of Order (I) Authorizing and Approving the Sale of Certain Real Property and Related Assets Located at 320 and 320R S. Broad Street, Philadelphia PA (Hamilton & Furness Halls) Free and Clear of All Liens, Claims Encumbrances and Other Interests, and (II) Granting Other Related Relief**, filed on February 25, 2025 [[Docket No. 253](#)].

Status: A Certification of Counsel has been filed attaching a revised proposed order reflecting the results of the auction and providing for break-up protections for the stalking horse bidder. The order has been filed and uploaded for the Court’s review. Therefore, no hearing is necessary unless otherwise requested by the Court.

Dated: February 25, 2025
Wilmington, Delaware

CHIPMAN BROWN CICERO & COLE, LLP

/s/ David W. Carickhoff

David W. Carickhoff (No. 3715)

Alan M. Root (No. 5427)

Hercules Plaza

1313 North Market Street, Suite 5400

Wilmington, Delaware 19801

Telephone: (302) 295-0191

Email: carickhoff@chipmanbrown.com

root@chipmanbrown.com

Counsel for the Chapter 7 Trustee

CERTIFICATE OF SERVICE

I, David W. Carickhoff, hereby certify that on February 25, 2025, I caused true and correct copies of the **Notice of *Amended* Agenda of Matters Scheduled for Hearing on February 26, 2025, at 10:00 a.m. (Eastern Time)**, to be served (i) by CM/ECF upon those parties registered to receive such electronic notifications in these cases, and (ii) by email or first-class mail upon the parties listed on the attached service list.

/s/ David W. Carickhoff

David W. Carickhoff (No. 3715)

SERVICE LIST

Via Email

Benjamin A. Hackman, Esquire
Office of the United States Trustee
Email: benjamin.a.hackman@usdoj.gov

Gregory T. Donilon, Esquire
Marc J. Phillips, Esquire
Richard G. Placey, Esquire
Montgomery McCracken Walker & Rhoads LLP
Email: gdonilon@mmwr.com
mphillips@mmwr.com
rplace@mmwr.com
(Counsel for Debtors)

Amy Caton, Esquire
Douglas Buckley, Esquire
Kramer Levin Naftalis & Frankel LLP
Email: acaton@kramerlevin.com
dbuckley@kramerlevin.com
(Counsel for UMB Bank, N.A.)

Domenic E. Pacitti, Esquire
Klehr Harrison Harvey Branzburg LLP
Email: dpacitti@klehr.com
(Counsel for UMB Bank, N.A.)

Morton R. Branzburg, Esquire
Klehr Harrison Harvey Branzburg LLP
Email: mbranzburg@klehr.com
(Counsel for UMB Bank, N.A.)

Nicholas Brannick, Esquire
Ballard Spahr, LLP
Email: brannickn@ballardspahr.com
(Counsel for TD Bank, N.A.)

Diane E. Vuocolo, Esquire
Ballard Spahr, LLP
Email: vuocolod@ballardspahr.com
(Counsel for TD Bank, N.A.)

Joseph H. Lemkin, Esquire
Stark & Stark, P.C.
Email: jlemkin@stark-stark.com
(Counsel for De Lage Landen Financial Services, Inc.)

Megan N. Harper, Esquire
Deputy City Solicitor
City of Philadelphia Law Department
Email: Megan.Harper@phila.gov

Jacob Ross Wasser-Segal, Esquire
McMonagle Perri McHugh Mischak & Davis
Email: jsegal@mpmpc.com
(Counsel to 14 WA Partners LP)

14 WA Partners LP
Email: rjs@pearl-properties.com
jls@pearl-properties.com

Susan E. Kaufman, Esquire
Law Offices of Susan E. Kaufman, LLC
Email: skaufman@skaufmanlaw.com
(Counsel for American Federation of Teachers and AFT Local 9608)

Damien N. Tancredi, Esquire
Flaster/Greenberg P.C.
Email: damien.tancredi@flastergreenberg.com
(Counsel for Metro Commercial Real Estate)

Hanan B. Kolko, Esquire
Matthew E. Stolz, Esquire
Cohen, Weiss and Simon LLP
Email: hkolko@cwsny.com
mstolz@cwsny.com
(Counsel for American Federation of Teachers and AFT Local 9608)

John J. Monaghan, Esquire
Lynne B. Xerras, Esquire
Holland & Knight LLP
Email: bos-bankruptcy@hklaw.com
lynne.xerras@hklaw.com
(Counsel for Temple University)

Robert J. Dehney, Sr., Esquire
Eric D. Schwartz, Esquire
Morris Nichols Arsht & Tunnell
Email: rdehney@morrisnichols.com
eschwartz@morrisnichols.com

David B. Smith, Esquire
Smith Kane Holman, LLC
Email: dsmith@skhlaw.com
(Counsel for Moore College of Art & Design)

Tori L. Remington, Esquire
Troutman Pepper Hamilton Sanders LLP
Email: tori.remington@troutman.com
(Counsel for Curtis Institute of Music)

Francis J. Lawall, Esquire
Troutman Pepper Hamilton Sanders LLP
Email: francis.lawall@troutman.com
(Counsel for Curtis Institute of Music)

Christopher R. Momjian, Senior Deputy
Attorney General
Pennsylvania Office of Attorney General
Email: crmomjian@attorneygeneral.gov

Jeffrey Kurtzman, Esquire
Kurtzman | Steady, LLC
Email: kurtzman@kurtzmansteady.com
(Counsel for Iron Stone real Estate Partners)

Mark E. Felger, Esquire
Cozen O'Connor
Email: mfelger@cozen.com
(Counsel for Allan Domb Real Estate)

Christopher R. Donoho III, Esquire
Hogan Lovells
Email: chris.donoho@hoganlovells.com
(Counsel for UA Agency LLC)

Nicholas J. Elia, Esquire
Levin Sedran & Berman
Email: nelia@lfsblaw.com
(Counsel for William Acker, *et al.*, and the Putative Class)

Christopher A. Ward, Esquire
Elisa Hyder, Esquire
Polsinelli PC
Email: cward@polsinelli.com
ehyder@polsinelli.com
(Counsel for Temple University)

Marshall Kizner, Esquire
Stark & Stark, P.C.
Email: mkizner@stark-stark.com
(Counsel for De Lage Landen Financial Services, Inc.)

John R. Weaver, Jr., Esquire
John R. Weaver, Jr., P.A.
Email: jrweaverlaw@verizon.net
(Counsel for De Lage Landen Financial Services, Inc.)

VIA OVERNIGHT MAIL/FEDEx

The Bank of New York Mellon Trust Company, N.A.

500 Ross Street, 12th Floor
Pittsburgh, PA 15262

TD Bank, N.A.
2005 Market Street, 2nd Floor
Philadelphia, PA 19103

Xerox Financial Services
201 Merritt 7
Norwalk, CT 06856

Engie Resources LLC
1111 Old Eagle School Road
Wayne, PA 19087

UMB Bank, N.A., as Collateral Agent
120 South Sixth Street, Suite 1400
Minneapolis, MN 55402

Center City District
100 South Broad Street, Suite 1N
Philadelphia, PA 19110

City of Philadelphia Department of Revenue
Municipal Services Building
1401 John F. Kennedy Boulevard
Philadelphia, PA 19102